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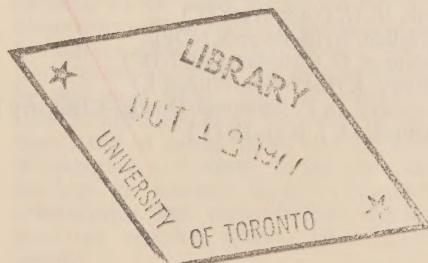
Legislative Assembly

Legislature of Ontario Debates *Committees & Issues*

Official Report (Hansard)
Daily Edition

Social Development Committee

Estimates, Social Development Policy



Fourth Session, 30th Parliament

Monday, April 25, 1977

Speaker: Honourable Russell Daniel Rowe

Clerk: Roderick Lewis, QC

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LEGISLATURE OF ONTARIO

SUPPLY COMMITTEE

MONDAY, APRIL 25, 1977

ESTIMATES, SOCIAL DEVELOPMENT POLICY

The committee met at 3:33 p.m.

Mr. Chairman: Ladies and gentlemen, we now have a quorum and I will call the meeting to order.

The purpose of the meeting is to deal with estimates, and the first estimates we are dealing with relate to the Social Development field. The Hon. Mrs. Birch has an opening statement.

Hon. Mrs. Birch: Thank you, Mr. Chairman. I would like to make a short statement on the introduction of the estimates of the Secretariat for Social Development. I must admit that it is with mixed feelings—I'm flattered of course—that I find the secretariat selected to be the first considered under our new procedures.

The policy field structure adopted by this government in 1972 has come to be acknowledged, both by those who work within the system here and by external observers, as a potent and effective force in achieving co-ordination of policies and programmes. When the new structures were first announced, the newly-created provincial secretaries were dubbed super ministers. That was, of course, incorrect and reflected a fundamental misunderstanding of the nature of the process which puts such a premium on problem solving through the co-operative efforts of ministers and staffs.

Because the responsibilities of the provincial secretaries are primarily internal they have not had a high profile and some people have suggested that while the policy field system has been a great success administratively and internally, it has not been as successful politically.

Well, Mr. Chairman, I don't happen to agree with that. In my position as Provincial Secretary for Social Development I have been able to accomplish some vitally important tasks beyond the scope of any individual portfolio. I think the dimension of the role of a provincial secretary is becoming more widely acknowledged and I am therefore

pleased, albeit a bit apprehensive, that we were selected to go first in the estimates review process. It's a great answer to those who suggest the provincial secretaries are politically inconspicuous.

The role of the Secretariat for Social Development then, is, different from the functional mandate of the operating ministries. It is our responsibility to ensure the co-ordination of policy across ministry boundaries in policy fields. This government feels we must strive to provide social services in ways which do not disturb the basic fabric of life in our communities. We must recognize that our society has shown a capacity to tolerate diversity. In light of this philosophy, I would like to examine the role of the secretariat in bringing about change in the way special services for children are provided.

The history of the secretariat's role in this field illustrates our considerable involvement, starting in the area of mental retardation. As you will recall, my predecessor, the present government House leader (Mr. Welch), developed a green paper on mental retardation focusing on the need to provide services in community settings with de-emphasis on large institutions. Although much progress has been made in implementing the policies suggested by the green paper, there is evidence that some communities resist the establishment in their midst of group homes and services for the retarded, and others. In the years ahead, we hope to convince these communities to acknowledge their responsibilities and to ensure our retarded citizens their place in society.

Our continuing concern was evident again in September of 1975 when the government established a Council for Emotionally Disturbed Children and Youth, following a study and report by an interministerial committee led by a member of the secretariat. This council was created to provide a forum for the exchange of information and to strengthen the co-ordination of policy development. The council, which was chaired by a senior member of the Ministry of Education, had representation from the ministries concerned: The Attorney General, Community and Social

Services, Correctional Services, Colleges and Universities, Education, Health and the Secretariats for Social Development and for Justice. Copies of the annual review were distributed so you are aware of the expanded role and the new name given to the council last September.

We've been very pleased with the work of the council, and its accomplishments, including: First, compilation of a directory of all government-approved facilities for troubled children and youth; secondly, analysis of the implications of the repeal of section 8 of The Training Schools Act—and I will say more about the repeal of section 8 in a minute or so—thirdly, review of proposed mechanisms for interministerial research into special services for children; preparation of reaction to proposed legislation on young persons in conflict with the law; analysis of issues surrounding residential services for children and youth; review of current projects involving co-ordination of services, including the establishment of committees involving community representatives to develop provincial guidelines for the encouragement of inter-agency co-operation.

Mr. Chairman this council, under the very able leadership of Mr. Peter Wiseman, has played a valuable role in the development of policy, in the sharing of information and in improving co-ordination among the various ministries involved.

Let me now turn to a discussion of the secretariat's role in bringing to an end the use of section 8 of The Training Schools Act. As you will recall, in May of 1975 the Legislature enacted The Training Schools Amendment Act, thereby removing the provision which allowed a family court judge to admit an unmanageable child or a status offender to a training school if no community programme was available and if the training school experience was thought to be desirable. Proclamation of the Act was delayed to allow time for communities and the courts to adjust to the change and to allow time for the province to study the implications of the repeal on the programme that would be affected by it.

Because the programmes affected both the justice and social policy fields, the Premier (Mr. Davis) asked me to chair a special committee of ministers to study the problems surrounding this repeal and to make our recommendations to cabinet. In this role I visited family courts across the province and met with family court judges, provincial organizations and concerned groups, I also visited training schools, detention centres,

group homes and health facilities in many parts of this province.

In addition, I requested the Interministerial Council for Troubled Children and Youth to prepare a report of the implications of the repeal for all of the children who would be affected by it. The council studied the adequacy of community resources, the responsibility for current wards in the transition phase and the issue of the responsibility for White Oaks Village, an especially fine facility for the treatment of disturbed youngsters.

Further work under my direction led to the decision to proclaim The Training Schools Amendment Act effective January 1, 1977. It was also decided that no child originally admitted to training schools under this section of the Act would be returned to a training school except as a result of new offences; and it was decided to maintain current wards with the Ministry of Correctional Services, but to move them out of training schools as quickly as possible and to terminate all wardships as soon as alternative arrangements could be made.

This is happening, Mr. Chairman. At the time I made my statement there were 103 children in training schools under section 8; by the end of March the number had dropped to 37.

We are also committed to additional selective funding with high priority for the development of a secure treatment facility for severely disturbed adolescents. White Oaks Village, known I am sure to many of you, has become a mental health facility under the Ministry of Health—it will operate in the future as a co-educational treatment facility—and a special committee of the Council for Troubled Children and Youth continues its work in making arrangements for hard-to-place section 8 wards.

Mr. Chairman, for some time, along with my colleagues, I have been concerned about the provision of residential services. Some of the gaps and duplications and inconsistencies in the provision of residential services were noted in the report of the interministerial committee on residential services. Members will recall that this committee was commissioned by the cabinet committee on social development to investigate residential services for three specific client groups: Children and youth, adults in conflict with the law, and the elderly population. While we have acted first on that part of the report dealing with children's services, I would like to assure you that very same emphasis is now being placed on developing appropriate new policies for residential services for the elderly,

to ensure that greater equity exists with respect to the cost of services and the arrangements for access and funding.

With respect to special services for children, I hardly need reiterate the contents of the Throne Speech or the statements that were made three weeks ago. Suffice to say that a unified children's services division of the Ministry of Community and Social Services has been created. As well, children's services committees with financial responsibility for ensuring that troubled children receive the services they need are to be formed in our communities. It is significant that these are new departures from past practices at both the provincial and local levels.

Mr. Chairman, the reforms I have recounted affecting children illustrate very well the accomplishments of a provincial secretary and the secretariat staff, but I must emphasize that this is only an example of our scope of concern. I have already made a brief reference to policy development affecting senior citizens. Much work has also been done concerning the handicapped, and I was very pleased when we were able to announce the introduction of a system of pilot projects to provide transportation services to the handicapped. The projects are being closely monitored and assessed by the Ministry of Transportation and Communications. We will be watching that information carefully in our consideration of a future province-wide policy. Policy studies on housing and supportive services for the handicapped are now in hand, following receipt of recommendations from the Advisory Council on the Physically Handicapped.

Let me take a moment, Mr. Chairman, to describe two other areas in which policy reviews have recently been initiated. One concerns rehabilitation services which are now provided under a variety of programmes by a number of ministries. These are being reviewed with the hope that we will be able to co-ordinate these policies and services. The other is a subject that has come to concern me personally, and that is the impact of various government policies on the family. Governments at all levels have a variety of policies dealing with individuals, but notwithstanding the fundamental importance of the family in our society, governments rarely give explicit attention to the impact of these policies on the family. We hope to do that; and to lead off our efforts a special seminar on the family is being held on Tuesday, May 10.

In addressing these issues that concern the secretariat and the various ministries in the

social policy field, we have to keep firmly in mind that our hopes and expectations to fashion a more perfect society must be worked within the limits of the finite resources that Ontario, rich as it is, can provide through taxation. It was admittedly much easier in the 1960s to launch major new programmes, when both government revenues and government expenditures represented an increasing share of the gross provincial product. Although a good deal has been made of constraint in the past few years, I do not think it is sufficiently understood, Mr. Chairman, that this government has limited its expenditure, both generally and in the social policy field, to a virtually fixed share of the gross provincial product for the last seven years.

[3:45]

Ontario budgetary expenditure since 1970-71, and now projected for the year just commenced, averaged 15.1 per cent of the gross provincial product. Although there have been variations from year to year, they have been relatively small, and the important matter is that the share of the economy taken by this level of government has not grown significantly during the 1970s. The budgets of the social policy field, which accounts for the largest single share of provincial spending, have ranged from a low of 9.7 per cent of the GPP to a high of 10.3 per cent, with an average of 10 per cent. For 1977-78, the budget indicates that the social policy field will have 10.1 per cent of the gross provincial product to spend.

No small part of the effort of the cabinet committee on social development, including the ministers and their staffs and the provincial secretary and my staff, are devoted to the time-consuming and difficult task of sorting out allocations of resources to the various ministries and programmes. In most other governments even yet, ministry allocations are worked out between individual ministries and treasury boards or their counterparts on an adversarial basis. Our system is better described as co-operative, because the ministers in each policy field work together to develop decisions on these difficult matters.

The success of our system is, I think, evident. Not only have we been able to limit our share of the GPP but I believe we have in the process been able to bring greater benefits to the people of Ontario from our system of social services, which while admittedly not perfect is still perhaps the best, and represents certainly the best value in North America.

Mr. Chairman, let me close with a few comments on the details of the secretariat estimates for 1977-78. The total sum involved is a little over \$2.2 million. A little less than a third of this is for the policy staff, for our administration and for my office; a little over a third is for the four advisory councils that assist us so very ably; and the final third is for the Youth Secretariat and its youth experience activities.

The largest part of the increase in expenditure projected from 1976-77 to 1977-78 is accounted for by the increased costs of distributing the senior citizens' newsletter, which as you may know, with a circulation of 740,000, is now perhaps the largest circulation newspaper in Canada, albeit published only quarterly. As you may also know, the content of this newsletter is entirely under the control of the Advisory Council on Senior Citizens. Of course the bulk of the increased cost for the newsletter is represented by increased postage costs.

Excepting the increase in the cost of the newsletter, the increase in our budget otherwise is 2.7 per cent.

I suppose it is very evident that I believe strongly in the cabinet committee process. Over the last 15 years or so ministers have been faced with increased demands on their time. The third report of the Committee on Government Productivity puts it rather well; it talks to the fact that the Legislature now meets for longer periods each year, departments grow larger and more complex, constituency business and activities such as speech-making demand more of our time; and of course the dilemma is that the demands piled up at the same time that responsibilities of ministers for such matters as policy and setting priorities became more complex. And so the cabinet committee system was introduced, with policy ministers appointed to lead in the development of policy decisions. I might explain, as an aside, that policy ministers do not have control over, nor responsibility for, a minister's programme management or policy proposals.

The list of policy items in your books includes items that have been completed and announced; such as French as a Second Language, the OECA network expansion, the repeal of section 8 and other items where the work is still continuing.

Mr. Chairman, I will be very pleased to answer questions in more detail about the work of our secretariat.

Mr. Chairman: Thank you, Madam Minister. I will now call on Mr. McClellan, the NDP critic, to make his opening statement.

Mr. McClellan: Thank you very much, Mr. Chairman. Before I get into the opening remarks that I had wanted to make, I couldn't really let the minister's opening remarks pass without a couple of immediate comments in response.

Firstly, I want to take pretty strong exception to your analysis of the problems in implementing the mental retardation programme. When you say there is evidence that some communities resist the establishment in their midst of group homes and services for the retarded, although that may be true I hope you aren't deluding yourselves into thinking that is the source of the dilemma you have had in moving toward normal community living for the retarded. You would be doing yourself a serious disservice if you think that is the source of the difficulties you've been experiencing.

I would suggest to you, if I may, through the Chair, that you are closer to the mark on page nine when you talk about the need to reorganize rehabilitation services in this province, and that the difficulty in implementing the mental retardation programme has largely been a result of the failure of your rehabilitation services to respond to the programme needs of the working committees. The working committees have been unable to plan residential alternatives because of the difficulties in obtaining workshops for the retarded.

It really is, as I understand it—and I have been monitoring it now for about two years—almost as simple as that. Your rehab services are sufficiently dysfunctional that it has thrown the planning of the working committees off time and time again, and it has impeded the development of the kinds of normal community living alternatives that all of us want so much to see at work.

I may say as well that I don't share your plaudits for the manner in which the section 8 repeal has been handled, but I will get into that in my lead-off and I think maybe I will also probably cover most of the other topics that you raised as well.

One of the reasons this ministry was called first was that we in the officiating opposition wanted it called first and asked that it be called first. At the time you had not yet announced the April 4 policy proposals. It's a measure of the importance and the priority we attach to the issue of services to kids, and I want to deal mostly with that in my lead-off.

We have pretty profound concerns about your policy statement and I would like to set them out to you. Number one, we see very

little in the history of the Ministry of Community and Social Services that justifies the confidence you are placing in it. It has not been, to put it mildly, a successful ministry. It has been the clinker in the array of ministries. Traditionally it has not been able to manage the mental retardation programme effectively, it has not been able to deal effectively with child welfare services currently under its jurisdiction; we are profoundly apprehensive about the capacity of that ministry to absorb and deal with all children's services.

Let me try to illustrate that concern. I raised with the minister last week the application for a judicial inquiry under section 3 of The Child Welfare Act that has been submitted by Jeffrey Wilson. I think those cases illustrate the kind of concern we feel.

Child welfare has always been the responsibility of Community and Social Services; the administration of the Act and the functioning of Children's Aid Societies have always been the responsibility of Community and Social Services. The material in that application brief raises real questions about how well the Act is being administered at the present time. I want to just put on the record and deal at some length with the kinds of problems that application brief reveals to us.

You will recall—I'm not sure, really, if the minister is familiar with the details of those cases—Mr. Wilson has presented in scrupulously documented detail the cases of three children in the care of the Brampton Children's Aid Society. I want to go over those cases. Because of the requirement of The Juvenile Delinquency Act, I'll use initials for the children's names. I want to explain and put on the record what has been happening in this particular instance, because it raises concerns about what's been happening with respect to the administration of the Act, I think, in other areas.

The case of T. is that of a young boy, age 15, a ward of the Peel Children's Aid Society. In February 1976, T. was placed by the Peel Children's Aid Society in a residential group home, MacDonald House, with the threat that it was either that or training school, no other facility was available. As punishment for unacceptable behaviour, T. was placed in isolation on April 7, 1976, in an unheated, rat-infested, unlit garage, referred to by MacDonald House staff as the "Buckingham jail."

On April 8, after sleeping there overnight, he entered the home where the other residents of the group home were eating. He

demanding food, he was refused; he phoned the police for help. Then he phoned the house social worker for help.

He got into an argument with the house social worker, he slammed the telephone down and broke it. For this he was charged with a criminal offence, with the wilful damage of property, and he was sent forthwith to the Barrie jail. He was locked up in the Barrie Detention Centre from April 8 to April 13, and while in the detention centre he was subjected to what in the transcripts are recorded as emotional abuse from a visiting social worker.

Jeffrey Wilson, who was eventually retained as his lawyer, as his counsel, secured his release to Viking Homes on April 16; but on the morning of April 13, T. appeared in the Barrie family court and the Peel Children's Aid Society demanded he be sent to training school as a result of the criminal charges that had been laid against him.

The Barrie family court judge waived jurisdiction without making any decision on it; but at two o'clock the same day, T. was in front of the Peel family court judge, Judge Durham in the Peel family court, and the Children's Aid Society representative told Judge Durham that T. had been found guilty that morning in the Barrie court. The Children's Aid Society worker requested that he be sent to training school.

Fortunately, Judge Durham refused to accede to that kind of obviously irregular and unjust procedure; Judge Durham demanded that T. obtain counsel and remanded it until April 20. When the court resumed on April 20, Judge Durham announced that, and I'm quoting from the transcript, that he had been misled by the Children's Aid Society, that the Barrie judge had made no finding whatsoever in the case; and if I may say even more shocking, Judge Durham revealed to the court that the Barrie judge, Judge Morton, had told him—and I'm quoting—he felt that the Children's Aid Society was trying to railroad T. into training school.

Mr. Wilson produced medical assessments of T. which contradicted and challenged the CAS plans for training school for this particular child. A suitable treatment placement was finally obtained by the child's counsel, despite continued resistance and obstruction by the Peel Children's Aid Society.

A second case is that of M., a young girl age 14, also a ward of the Peel Children's Aid Society. In March 1976, M.'s mother called the Peel Children's Aid Society for help because of difficulty with her daughter. The difficulty was school absenteeism. The

CAS worker visited the home on March 16, proceeded to threaten and to attempt to remove M. from the home without legal authority, precipitating a row between M. and her mother. As a result of this, M. was charged with a criminal offence, assault.

[4:00]

She was arrested and detained for nine days until sent by the court to Viking Homes for three months. On May 13, with no prior notification, no prior consultation, the Children's Aid Society descended on Viking Homes at 10:30 in the morning and removed the child. They made other plans for which involved running her through the usual foster home mill. She was placed, in the course of the next few months, in a total of five different foster homes. She started running away. As I said, by August 20, she had been in five different placements.

The Children's Aid Society refused to bring the matter back to court under The Child Welfare Act for a review despite the obvious disaster. M.'s mother had to obtain legal counsel in an attempt to get the kid back in family court so that the court could review the situation and try to resolve the obvious disaster. The society refused to agree to bring the matter back to court and M.'s mother was forced to charge the Children's Aid Society with ill treatment not constituting assault under The Child Welfare Act simply in order to get the case back in court.

When the case was finally heard in court the Peel CAS refused to allow M. to appear in court or to have legal representation. Mr. Wilson, her counsel, had to subpoena M. into court in order to get her there. Adequate professional assessments of M. had to be obtained by Mr. Wilson at his expense through subpoena, because they were otherwise unavailable. The Peel family court, as you know, does not have its own assessment clinic.

Finally, on October 27, M. was returned home to her mother and the wardship of the Peel CAS was mercifully terminated.

I'll give you the final case, the case of K. who is a young girl aged 14 about whom I had some correspondence with the minister, as the minister will probably recall. K. was a ward of the Children's Aid Society since February 1975. She had a history of attempted suicide. After a number of failed treatment placements she was placed by the Children's Aid Society in Thistletown. She was a very disturbed young girl. Her case is very similar to the case of Norma Dean. There's a very remarkable similarity in the

history of this case except that it didn't have the tragic outcome. It could very well have had exactly the same tragic outcome.

In Thistletown, K. continued to attempt suicide. She ran away some 15 times in 1976 and it was obvious to everybody that the Thistletown placement was a real failure, we'll put it that way; that the Thistletown treatment placement was not working and that some alternate solution was obviously essential.

In October 1976 she ran away again. She was picked up by the police. She was waiting in the local police station to be returned to Thistletown when she got into a row with her visiting Children's Aid Society social worker. She was still a ward of the CAS. As a result of this row, she was charged with a criminal offence by the Peel Children's Aid Society, the offence being assault. This criminal charge was laid without any consultation with the supervising professionals at Thistletown.

On January 20, 1977, Judge Durham of the Peel court summoned all the actors in the case before him. There turned out to be 15 different professionals from at least eight separate organizations and the judge's comment was: "It makes you think of all the king's horses and all the king's men, doesn't it?" He demanded to know why the Children's Aid Society had laid a charge of assault against one of its own clients who was in need of treatment.

The answer was—and I re-read the transcripts a number of times—incoherent; but I can speculate, and my interpretation of the reason the Children's Aid Society laid that charge was that it was trying to switch jurisdiction of that kid. They were trying to get that child out from under the jurisdiction of The Child Welfare Act and put her under the jurisdiction of The Juvenile Delinquents Act so that they would not be responsible for providing ongoing treatment to the child when she reached 16. She was very close to 16.

This is a common practice, I gather, this kind of agency buck-passing and this kind of flagrant misuse of the family courts by agencies simply to shrug off responsibility for providing treatment to difficult kids. I understand the difficulties in providing adequate treatment service to a child as disturbed as K., but it is absolutely intolerable that any Children's Aid Society in this province attempt to initiate criminal actions against its clients for the purposes of avoiding its responsibilities to provide treatment, and I am quite

convinced that that's what was happening in this particular case.

The judge, I am sure from reading the transcripts, had a similar apprehension that this was the dynamic, this was what was going on in front of him in the court. He asked the Children's Aid Society representatives if they were happy with the effects on K. of them laying a criminal charge. The effects to that point were four appearances in family court, still no adequate treatment plan devised for the kid and yet there were three more appearances in family court to follow—seven appearances in family court for a kid who was profoundly disturbed, suicidal, in the process of making suicide attempts and of running away regularly from the treatment facility, and still no place to help her and still no treatment planned.

The Children's Aid Society agreed with the judge that the effects were not beneficial. K.'s story proceeds along now familiar lines. The CAS attempted to interfere with her right to obtain legal counsel. They succeeded in this until she was, in fact, released from Thistletown to the care of a friend by the court. Once this had happened she was able to get counsel, but we have a situation of those who are laying criminal charges against their own client also at the same time preventing the person from obtaining legal counsel to defend themselves against these charges.

The CAS violated a court-determined treatment plan—I won't go into the details but it's clear in the transcripts of this particular case. The CAS refused to bring the issue back to court for review, as it had done in the other cases that I cited, so this forced K.'s lawyer to concede her guilt of the charge of assault simply because of the necessity of getting her back in front of the judge so that some authority would be there to devise an adequate treatment plan for the child.

Finally, K.'s lawyer obtained suitable treatment for her himself. The system did not. Contrary to your sense of what was happening in this case and your correspondence with me, it was the child's lawyer who eventually found an adequate treatment facility for the child.

In these three cases we have a number of common threads; agencies responding to family problems by initiating not treatment or diversionary measures or rehabilitation measures, but by initiating criminal proceedings against their clients. Despite the bizarre misuse of criminal justice measures, the legal and civil rights of the clients are repeatedly violated; and finally, in the application of best interests law, these cases show that

neither the best interests of children are being met nor are their legal or civil rights being safeguarded.

All of these cases were known to the ministry. All of these cases were known to the Minister of Community and Social Services since early fall 1976, because Jeffrey Wilson personally advised the minister of the details of each of these cases.

The Minister of Community and Social Services has the legislative responsibility for the administration of The Child Welfare Act and for the operation of Children's Aid Societies. He was presented with the details of these cases and he knew what was going on in some detail, particularly with respect to T. and with respect to M. The application brief, which I don't have with me but which the current Minister of Community and Social Services (Mr. Norton) has, provides documentary evidence that the ministry was advised about these situations, which I can only describe as the child welfare equivalent of malpractice. It's the only way I can describe the activities in each of these three cases.

Section 3 of The Child Welfare Act has very clear responsibility vested in the minister, and that responsibility and authority means that he is ultimately responsible, and his ministry is ultimately responsible, for what happens with respect to the administration of child welfare. He is empowered to strike a judicial inquiry whenever there is evidence—no, it doesn't even require that, it simply gives him the power to do that at his discretion. I am sure the implication of that is that where there is evidence of malfunction or where there is evidence that the best interests of children are not being met by a Children's Aid Society he is obliged to investigate these matters and rectify it.

Yet he did nothing with respect to these cases. His ministry did nothing. His ministry officials have done nothing about this. If we are to believe the latest reporting in the Toronto Globe and Mail subsequent to the matter being raised in the Legislature last week, the present minister does not intend either to establish a judicial inquiry to look into these matters.

I ask, Mr. Chairman, how we in the Legislature are supposed to agree that the trust of all children's services ought to be now vested in this same Ministry of Community and Social Services? I believe that is stretching our credulity more than any of us are prepared to have it stretched. There hasn't been the kind of vigilance, the kind of dedication to protecting the rights and best in-

terests of children regardless of whose toes get stepped on. It just hasn't been there. Occasionally toes do have to be stepped on, occasionally there are inappropriate people in inappropriate positions and that has to be confronted and dealt with.

Setting aside that particular agency and those particular cases, the question of the relationship between best interests law on the one hand and the legal and civil rights of children in care on the other, is an issue that I think transcends the particulars of the three cases that are in the application brief. I am sure the member for St. George (Mrs. Campbell) knows much better than I do that this has been a perennial problem in the provision of children's services and in the administration of the courts, and it's a question that has never been adequately addressed and examined.

I repeat here, while we have the opportunity, our plea that a judicial inquiry be established, not simply for the purpose of investigating the administration of the Act as it relates to the Peel Children's Aid Society—that is obviously essential—but also to look at the broader question of the relationship between best interests law on the one hand and legal and civil rights on the other, and to come up with a set of independent judicial recommendations which would perhaps serve as an extra foundation upon which you can build your reorganization of children's services.

[4:15]

Having dealt in a preliminary kind of way with our concerns about Community and Social Services as the appropriate vehicle for reorganizing children's services, let me just conclude on that. We're not under any illusions that the warehousing of all children's services here at the centre at Queen's Park is even beginning to deal with the problem. We've argued for some time that services need to be decentralized. There needs to be a devolution of responsibility to the local community level. I would agree that a preliminary step involves rationalization here at Queen's Park, but we shouldn't be under any illusions at all that that represents a solution. That's just an organizational clearing of the throat that makes possible a fundamental reform of children's services.

Quite frankly, we'd be more comfortable if it was being done somewhere else, if it was being done in the Ministry of Education, for example. That may be an unusual proposition but in many respects it makes a lot of sense. Schools already represent a nicely or-

ganized, neighbourhood-based structure for delivering social services. It does make sense to us to develop an adequate network of children's services that build on what's already there and working quite well.

Let me deal with the second part of your reform, which I hope is the major part, the local children's services committee. There's an erroneous assumption that all that's needed is a kind of minor tinkering.

I hope I didn't wake anybody up.

There's an erroneous assumption that I think underlies what you're proposing. That assumption is that we have an adequate network of social services already developed and in place in this province and that all that's needed is some rather mechanical tinkering with the system to effect some kind of co-ordination of what exists; and that having done this relatively simple and mechanical exercise of pulling everything together in the centre and then setting up something you're calling a local children's services committee at the community level, you're going to be somehow dealing with the problem.

The problem is that the assumption is utterly wrong. Let me illustrate by a little anecdote. I was visiting the Peel family court a couple of weeks ago, just watching what was happening in the court. Towards the end of the morning, Judge Durham directed a young boy about 13 years old to a group home facility at a cost of \$43 a day. I don't think it was Viking.

Mrs. Campbell: Surprise, surprise!

Mr. McClellan: I think it was Twin Valleys, as a matter of fact. It sounds like a very nice place.

As he was sentencing this child to Twin Valleys at a cost of \$43 a day, he said, rather sadly: "What a great tragedy it is that in this community we don't have the kinds of family support services, family counselling services that might have been made available to this family five or six years ago, so that we wouldn't have to be now breaking up this family and sending this child to a residential treatment facility."

That little story speaks to what the problem is in this province. Nothing that I've heard so far from the ministry or from ministry spokespersons—and I again heard Gordon McClellan giving a very lucid description of the policy proposals this morning at Humber College—but nothing has been said about the need to develop an adequate network of preventative and personal and family support services at the local community level.

I dealt at length with this in my reply to the Speech from the Throne, and I don't feel that I should take the time of the committee to rehash that. I would simply direct you to the CELDIC report, which was written in 1970, which gives a comprehensive blueprint for the development of the kinds of personal and family support services that would reduce the incidence of custodial care and residential care and institutional care.

That's where the problem is in this province, that those services simply don't exist in most communities. I believe that's a direct quote from the interministerial report, that those kinds of services simply have not been established in most communities in Ontario. I'm talking about home help services and visiting homemakers' services and visiting nursing services, adequate day-care services, adequate home child care and family counselling, family therapy, group counselling, group programming for families, home child care, parent relief programmes. These things have not been accorded any kind of priority at all by successive governments in this province.

They are absolutely essential, basically for simple survival in the kind of society that we're in today. Yet we still have an almost archaic poor law mentality with respect to the provision of social services. We still see social services as crisis based, which is another way of saying that you don't apply social services and you don't organize and put social services in place except to deal with breakdown once it's occurred.

The ways and means that this society developed to deal with people who had shown some kind of breakdown or some kind of deviance was to place them in institutions originally, in work houses and in homes for the aged and in mental retardation institutions. By and large, we haven't moved very far from that, you know, we really haven't moved very far from that.

The orientation of the service system is still an assumption that there's nothing that you can do to prevent the breakdown from taking place, so you don't try to do it and you rationalize all kinds of excuses about the lack of adequate research data and the lack of conclusive scientific data around validating the advisability of establishing a comprehensive family support system. Instead, you pick up the pieces and you incarcerate the pieces.

Whether you're talking about incarceration in an orphanage or whether you're talking about residential care in some kind of small institutional facility, you're still in the same

ball game. You still haven't moved out of that custodial bias that characterizes social services. You leave the provision of the most important and crucial part of the social service system, the family support services, to the private sector. You leave it at the mercy of United Appeal funding and the vagaries of voluntary funding and the funding and support are piecemeal and haphazard and chaotic.

Most communities don't have the energy to try to establish those kinds of services at all. A simply massive effort is required in order to do that. In the smaller communities outside of the larger metropolitan areas those services simply don't exist at all. Within the large metropolitan areas they exist precariously and on the basis of almost total inadequacy.

If you're talking about a fundamental reorganization of children's services, what you ought to be talking about is the development of a comprehensive network of family support services. I would like to see you dealing with as much priority with that rather than with the residential services, quite frankly; not suggesting for a second that you drop your concern around residential services, but in the long term that's what the issue is and that's where the energy and resources have to be applied.

Let me say finally that—having studied your proposals until I'm sick to death of reading the documents, I've gone over and over them, I've talked to people in municipal government, I've talked to people in the family court, I've talked to people in Children's Aid Societies, I've talked to people in all parts of the child welfare service system—nobody has the slightest idea what you're talking about when you talk about a local children's services committee. Nobody knows what you mean. I don't think you know yourselves what you mean, I really don't.

I really don't think that you have done anything more than to state a general direction. You've stated concern. To be fair, you have acknowledged the state of shambles and chaos in the children's services field and you have put forward a general direction. Somehow you understand that there needs to be a decentralization of some kind, that you can't pull together a service delivery system here at Queen's Park. You have to give that authority somehow, in some form, to the local community, but you don't know how to do it.

I gather that you whipped some of your staff people into preparing a policy proposal

in some two or three weeks and presented it. It certainly sounds like that, because there is almost no content in it at all. We are very, very surprised. I'm sure much of your estimates—and I'm sure you anticipated this—are going to be focused on trying to understand just what it is you're talking about when you say a local children's services committee.

I know the member for St. George shares my eagerness to know what it is, what this beast is. Who is it accountable to? Is it accountable to the province? Is it accountable to the municipal government? What is its composition? Who will determine its composition? What are its powers? Will it be responsible basically for case management or will it have additional responsibilities for planning in a serious way to meet the human service needs of a given community? What will be its relationship with the existing social service system? What is going to happen to the Children's Aid Societies?

I gather that you're talking about vesting wardship responsibilities with the local children's services committees, and yet when the question is raised at the PMLC, "What about the Children's Aid Societies?" the minister gives one of his charming shrugs and says that they won't be affected very much at all.

Frankly, that's rather hard to believe when you say in a policy statement that you're contemplating, I assume, the transfer of wardship responsibilities from Children's Aid Societies, where they are now, to some new undefined ephemeral entity called the local children's services committee.

Are they special purpose bodies? Are they the equivalent of a board of health? Are they an inter-agency council advising the regional government? Are they going to be the regional social services committee? What is their relationship going to be with local area municipalities? Are they going to be a fourth level of government, as was recommended in the CELDIC report and as was implemented in British Columbia? Is there going to be a whole new role for municipal government in the social service provision?

[4:30]

None of these basic questions have been addressed in any way at all. All we have is a phrase and a general glimmer of an inkling of a clue of a direction, which is somehow to decentralize. I'm not clear whether you've thought out the implications of a policy of decentralizing, of a policy that devolves responsibility onto a lower level of government. It's a policy which we support. I think I prefaced my remarks by saying that devolution makes sense to us, and indeed the

direction that was outlined by the Seeborn committee in Great Britain makes sense to us rather than, for example, the option that was presented in 1970 by the CELDIC commission.

There is a whole host of implications. If you are thinking seriously about giving regional government or municipal government responsibility in a major way for human services, there are all kinds of implications, all kinds of consequences to that policy decision that I wish you would be honest enough to raise. If you are devolving responsibility onto municipal government then you are committing yourself to a fundamental transformation of local government, so that it no longer simply services as its basic function, it no longer simply services property, it also has a new major role of providing human services to people.

If you do that, and if that's what you're saying, you have to address yourself to the question of municipal finance. You simply can't dump those kinds of responsibilities onto municipal government with the present financial structure, because you are simply guaranteeing the most hostile reception for your proposals that you can possibly imagine. You cannot even contemplate, I don't think, in good faith, the suggestion that you are going to give the municipalities additional responsibilities for human service provision without at the same time giving them an entirely new deal in terms of municipal financing. It is absolutely essential.

Otherwise it will be simply inevitable that the function of municipal politics will be to protect municipal taxpayers from the added burden of human service expenditures and the social service system will simply deteriorate even further. I would suggest to you that if you are moving toward devolution you have to do it on the basis of providing total financial resources to municipal governments to assume this additional responsibility.

I may be way off base, I may have totally misunderstood the gist of the policy statement, vague as it is, because it's really impossible to get a clear sense of what it is they're actually proposing to do, and I hope when we come out of these estimates on Wednesday or some time next week, that we'll at least have an idea what it is this major new policy proposal actually is. I may be all wrong. You may be simply proposing a rather innocuous inter-agency council which does the equivalent of case management under a fairly firm provincial hand. I think that would be really too bad if that's all you were addressing yourself to.

At any rate, it would be useful to everybody for you to go back to your hallowed halls and produce a coherent document, perhaps a green paper. It's been done before; you did a very nice job, before you implemented the mental retardation programme, of providing a very clear and straightforward, understandable and comprehensive description of what it was you proposed to do. In fact we had two. We had the original Williston report and then we had its reworking by the government which was put out as a white paper. We don't have that this time. All we have—and I am sorry to say it—is a certain amount of public relations hype with respect to the reorganization of children's services. We have a very attractive and plausible new minister, a very attractive and plausible deputy minister and virtually nothing else, nothing in the idea of an intelligible direction to go for the reorganization of services.

The final thing I want to speak to—and I will wrap up within five minutes—is your so-called process of consultation which has been initiated. For the life of me, I don't understand how people are expected to consult on something which has no reality to it. When I suggested this to the minister he denounced me as wanting to impose from the central authority, suggesting I would want to impose my will on everybody without allowing a chance for consultation.

There is a difference between confusion and leadership. This is a situation where government has to give leadership, even if that leadership simply consists of spelling out clearly and precisely, in detail and concretely, what it is you are proposing. If you are feeling that because of the enormity of the difficulties in children's services some kind of a process of public discussion and the soliciting of alternatives and options is desirable and necessary, that is quite legitimate. But you should have the decency to say that. Secondly, you should have the decency to provide something that people can react to.

Let me predict to you what is going to happen with the present consultative process you have initiated. All you have is a direction. You don't know what you are going to do. You don't know what you want to do. You are now going forward into a process of consultation which is not open and which will by and large involve soliciting from vested interest groups what it is they would like to see you doing without providing the kind of leadership that you appropriately should be doing.

You can shake your head, but that is precisely what you are doing. There is no way

you can design a social service delivery system on the basis of that will-o'-the-wisp April 4 statement. As you wander around the province asking the Children's Aid Societies, asking the family service associations and asking the regional social service committees what it is they would like you to do, they will all tell you what they would like you to do and it will all be with respect to their own vested interest protection. I say that on the basis of having been involved in this arena for some 13 years. I know precisely what will happen to you.

The Provincial Secretary for Social Development should know also because she has had the same involvement. The present Minister of Community and Social Services, however, has not had that kind of involvement to that extent. I don't think he knows what a nutcracker he is actually going into with this rather silly and ill-defined phrase, local children's services committees. But he will find out soon enough and he won't get out of that exercise the kind of concrete proposals he needs.

If you do know what it is that you want to do, for God's sakes, spell it out. Nobody is going to string you up from a tree for presenting a coherent option. You get yourself into difficulty when you try to muddy, to obscure and to pretend that something that is insubstantial has indeed some substance to it.

Mr. Chairman: Is that all, Mr. McClellan?

Mr. McClellan: You would like that to be true, I know, Mr. Chairman; however I was just drawing my breath.

I think that is virtually all I wanted to say by way of an introductory statement, except to add that my colleagues and I will be dealing, as time permits, with children's services being the priority, with the equally-important issue of the inadequate network of personal non-institutional, non-residential services for senior citizens. As well, we would like to deal with the work of some of the advisory councils, some of which we feel have done the job of being a goad and a prod to government but, sadly, government has not responded as well as it could have. Others of those advisory councils have been, quite frankly, disappointing; but we'll come to that in the votes.

Mr. Chairman: The next speaker will be Mrs. Campbell. Mr. Sweeney, will you come and take the chair? Because of a previous commitment I will have to leave now.

Mrs. Campbell: I too would like to deal in the first instance with the comments of the minister. Before I begin, I would like to

express my appreciation for the receipt of the briefing material. I could have wished that we had had it sooner, as the Morrow committee hoped would be the case, because it meant that getting it as we did at Friday noon, we had to work pretty long hours over the weekend to be ready for today. I hope in future it will be possible to have it in advance. But it has been useful and I should like you to understand our position.

One of the things that comes to the fore immediately in the statement is the fact that this ministry was established in 1972 and its responsibility is to ensure the co-ordination of policy across ministry boundaries. I suppose that is where we come to the grips with our perception of the role of this ministry. Frankly, we have not seen any great thrust in co-ordinating policies. I am not going to deal with the matter of mental retardation because I endorse what was said by the spokesman for the NDP and I don't want to belabour the situation.

One of the things that bothers me a little bit is indicated on page 4 of this statement in reference to the accomplishments. I could have wished that the accomplishments would not have been so much in the mechanical field. A telephone directory of government-approved facilities for troubled children and youths was not, in my view, a high priority for anyone, having in mind the very real problems of children.

The statement that the government did not proclaim the amendment to the Act with reference to section 8 because it was delayed to allow time for communities and the courts to adjust to the change and to allow time for the province to study the implications of the repeal of the programmes that would be affected by it, to me is a very significant statement. If, in fact, we took that kind of time to understand the implications, we certainly did not work very hard at it because what we produced as a result was one complete mess, particularly so far as the municipalities were concerned.

[4:45]

You may recall, Mr. Chairman, that in 1975 when this was proposed, I spoke on the matter and expressed my deep concern about the elimination of section 8 until such time as the implications had been carefully sorted out. It was not that I was opposed to ending the use of section 8. I don't think anyone in the House was opposed to that, but I had seen the government with its very fine statements about the skid row people in Toronto and how we were going to keep them out of the

jails and we were going to provide detox centres and halfway houses.

We kept them out of the jails but we didn't put anything in its place. This was what I was afraid of at this time and I think my fear was amply justified by the way in which the whole matter was developed. The implications simply weren't either understood or studied; or if they were then I would have to conclude—and I don't wish to conclude—that there was a deliberate attempt to confuse the issues rather than facing them squarely and understanding what the role of the municipalities would be.

We still have children placed in boarding homes without any adequate supervision by the province and with no right of supervision in anybody else. When you realize that after all these years—because you have had these reports for years—you haven't come to grips with the fact that you will stuff children into places where there is no accountability on their going in, no progress report required and no report when they are released, it seems to me to be something which is material and ought to have been more material than bringing out a telephone directory.

No one has come to grips with it yet, and as you are very well aware the minister today, as late as today, cannot tell us how many unlicensed homes there are functioning, possibly under conditions which may be hazardous and may be dangerous to health. When one considers what we are talking about in implications, that to me would be a first priority.

We have talked for years about the need for preventive services for children, for families, for all sorts of people in our communities. We even had a committee set up under the Hon. Rene Brunelle, and of course we never got beyond a first meeting; and all of us who participated knew that we wouldn't get beyond a first meeting. That has never been looked at. We have never considered it significant or important, and if one reads the priorities report one realizes that the greatest victims of this lack of concern are the poor in our society. It makes one wonder.

We have heard of the fact that there is not adequate protection for the rights of children, for their natural civil rights. I would like to add to the indictment the case of a mother and a child who came within the scope of the Sudbury Children's Aid Society. It is a matter which is known to all of you. I think it had a great deal to do with the illness of one of our very fine members because he was so exercised about it.

Here was a case of a Children's Aid Society that decided of its own volition that the mother was an unfit mother, removed the baby from her and ensured that she would not be allowed to continue breast feeding—all before the matter ever came to the court. I think this is something that one should perhaps look at if one is concerned about implications and is concerned about the treatment of children.

I have said, and I continue to believe, that we are eventually going to have to have a bill of rights for children in this province so that we can highlight their very real difficulties and the fact that they are, on the whole, bereft of any kind of real backup support.

It is almost impossible for judges to really deal with many of these cases in a manner which permits a judge to have a sense of fulfilment of duty to a child because of the lack of real services. I have to say that Toronto, of course, has better facilities and more assistance for judges than any other part of the province, to my knowledge; and I may not be up to date on that knowledge.

One of the things I would like to point out to the provincial secretary is the fact that the work of the secretariat always seems to be closed, and we believe it should be open and available for public scrutiny. We recognize the fact that you have cabinet deliberations and interministerial deliberations, but what we see throughout the briefing material are references and allusions to all sorts of committees and reports, one of which has been given the sort of public attention it deserves.

Why do we have to wait for a Freedom of Information Act to release these? It is our intention to ask for each one as we proceed. If you would like to counter the annual attack on the secretariat that it is indeed a useless body, then we would hope that you will share this information with us and not merely allude to its existence. Our efforts to obtain some of the material from you which has been produced by the Council on Troubled Children and Youth, which we will discuss later, does not augur well, however.

It is clearly obvious that this policy secretariat has been busy in the area of services to disturbed children. Indeed, I was interested that one person advised me that a directive went forward to "get with it and get Margaret Campbell off your back." I hope that's true. I hope it has had that effect and that perhaps we are moving more in the matter of our concerns, but let me just go through our role and the context in which our own policy was developed, and may I say I was delighted to

hear from His Honour Judge Thomson that he found our report and our recommendations useful. I trust the minister will look at them and see whether there is anything there that can be helpful in dealing with the problem.

As early as January 1976, the Liberal Party was asking some very pointed questions about the Browndale Ontario programme, which is fully financed by the Ministry of Health. We continued these questions and demands for information with the purpose of finding out just how accountable the ministry was prepared to be for one of the programmes it funds. To this day, we are still waiting for answers to the most basic of questions insofar as how Browndale spends its public moneys.

In addition, the OPP has been conducting an investigation into Browndale which has lasted for over one year and is still continuing. I am sure that the government had this investigation in the back of its mind when the reasons to reform children's services were tallied up. As early as May of last year we were calling upon the government to release the interministerial report. Only days before its eventual release we asked questions in the House regarding its supposed findings. During the secretariat's most recent estimates, Dr. Smith speculated quite accurately about its contents.

When it was released it was only natural that we should take an interest in it and try to publicize its contents. We are very surprised at the reaction, because we would have thought that all those concerned in the care of children would have been joining together to work through from the chaos to solutions, rather than being offended at the fact that a report which was deemed to be prepared for publication had, in fact, been brought to public attention.

As I think you know, Mr. Chairman, because we wanted to stress our concerns for children, because we did not want to be dealing with the matter in a partisan fashion, we understated its critical remarks as we expected we would not be believed if we included its most scathing sections. It is not the sort of report that the party in power should be proud of; and it is not the sort of report, which shows clearly no co-ordinated effort at all, that should be a matter of pride to the secretariat whose function is to co-ordinate policies.

As early as May of last year we were pressing the Ministry of Community and Social Services over the issue of unlicensed children's boarding homes, of which there are about 70 operating right now in this province. We wanted to know when the govern-

ment would bring in legislation, as promised, to license all such homes regardless of how many children they house. To listen to the former minister's answer one would assume that legislative reform is the furthest thing from the government's mind. We did learn, however, that a draft Act, entitled The Children's Residential Services Act, had been prepared which would have combined, according to our understanding, The Children's Institutions Act and The Children's Boarding Homes Act.

The minister later told us that he hoped to introduce it in the fall, last fall. That never happened. The government knew full well that this area was one which we had been working on for some months. It was then only a matter of time before we would be lending our voice to those calling upon the government to introduce reforms.

We also were pressuring the government to act on the matter of court-ordered group home costs which were assessed to local governments at 100 per cent. We urged you on several occasions to pick up these costs in recognition of the fact that while the local government is expected to pay, it has no right to question the services delivered. Also, the repeal of section 8 has increased this particular case-load, in addition to the CAS case-load. Only days before you agreed to pick up 50 per cent of these costs, retroactive to March of last year, we were again asking questions about this issue in the House.

[5:00]

All in all, our record stands for itself. It has been a matter of great interest to us exactly what went into the children's services policy. It was with eagerness that we awaited the compendium. It was disturbing to see the only product of the Council for Troubled Children and Youth which was mentioned in the bibliography, which was part of the compendium, was the directory of facilities. I have already addressed myself to that.

As the minister will recall, the first annual review of the council was dated July, 1976 but was not released until March 3, although it had been promised even sooner. At the printers was the excuse most commonly given, which is surprising considering the fact that it is typewritten and photocopied. It contains a section reporting on the council's activities for the last year. From the action taken, or proposed section, we were able to identify some 10 separate studies, survey results or reports. We asked for these in an order paper question, dated March 31. The answer, which does not release a single item, called into question the purpose of this council and the

accuracy of its report. More important is the attitude of the minister toward sharing information.

The annual review states: "A proposal for ministerial research and development is in the final stages of preparation." Remember this would have been back in July. Yet we are told in the order paper answer no formal written report on research and development within each ministry exists; the council only held discussions and as a result a cabinet submission is being prepared. The report on the implications of the repeal of section 8 was a submission to the cabinet committee that is not available to us. I think we all could understand why.

The review of existing legislation, funding regulations and data from an extensive survey, this material is supposedly incorporated in the council directory and cabinet submissions. We would like to see a copy of the survey questionnaire, as we suspect that not all the information obtained has been made public in the directory. Why can't we have the results of that survey?

The memo on children's mental health services in northeastern Ontario was also refused as it has become part of a study of psychological services for all children. The study of school board programmes involving psychiatrists was refused. It is apparently a submission to a cabinet committee.

So our efforts to find out exactly what this council has done have failed. So much for freedom of information, when not even the results of a survey are available despite the annual review very clearly stating that statistical tables from the survey have been prepared for analysis. If this government is committed to reforming children's services, it would open the work of this council to public view. Why should it have closed meetings and classified reports when your other advisory committees are open, for example status of women, seniors and so on.

So much for the matter of youth services. I do endorse what has been said with reference to the youth committees or whatever they are. I think municipalities are going to have to know in very precise terms what we are talking about, because they have been conned a lot of times and are in no position to expend money until they know their implications. Believe me, municipalities do have a way of understanding the implications of all sorts of proposals. They have to in order to survive.

I would hope that we would have this type of information, and if the municipalities have it I would trust that we might be

accorded the same courtesy. If they don't, then I believe we will have serious difficulties in believing the validity of the proposal in its most casual and abbreviated form.

I would like to say a word or two on the matter of the care of the elderly. I really think this is one of the areas where the slot-machine mentality shows very clearly. I'm sorry that I didn't bring with me—but I'm prepared to file copies if you would like to see it—some correspondence which I had with the Minister of Health.

It was brought to my attention that there was an elderly lady living alone. Her daughter was a missionary nurse and gave up her work to be home with her mother. She did have a need of some kind of relief because it was full duty, and people, caring as they may be, can't function 24 hours a day, 365 days in a year.

The answer, which came from a doctor in the ministry, was that there was nothing they could do. Obviously the mother was eligible for nursing home and the recommendation basically was: Let her be slotted in there and then we could sort of wash our hands of her and get on with other things. This has been an attitude throughout in the concerns of care for older people.

I'm sure, Mr. Chairman, that the minister is very much aware, because of her work in Scarborough, that one of the very serious things for old people is when they have to leave familiar surroundings. Women particularly, and I've said it before, don't learn during a lifetime as a rule to develop the kind of locker-room quality that maybe gentlemen do, and they do not like to be stuck in a room, one of four people, with nothing of their own around them and with no privacy at all. They are not able to survive without that sort of assistance, because nothing else is in place.

I want to tell you in all honesty, in my riding, day after day, as I speak with my older people, they are very happy, for example, in Ontario Housing, very happy; but they say, "I'm afraid. I'm well. I can look after myself. But supposing I fall and break a hip? There wouldn't be anybody to find me." Or as one person said, "I might die and smell up the place before somebody knew I was dead." This is one of the reasons for seeking institutionalization—fear.

There's no need for anything more than the kind of buddy system that is now difficult to set up, but just to have some of these services. What do you do? You go and provide mobile library service, not particularly for the sake of the books but because it's some-

one calling. It's the loneliness of these people that is driving them into institutions, and not any special highly-skilled nursing care.

Yet when you go to the Minister of Health he does point out the add-on costs of this kind of a programme. We never suggested they should be add-on costs. We suggested that we should be developing these kinds of services not as add-on but as alternatives, and yet it has taken all these years to try to bring anyone to conclude that this is perhaps a good road to go.

If that programme is worked out so that the municipalities understand it, maybe we will create 700 jobs this summer. We work out, on the basis that because it starts late, the \$2.6 million will spread to 700 jobs; and again this is our approach to meeting a need. The young need the jobs, no question about it. It's a lack of style in trying to come to grips with this problem that bothers me.

You and various ministers have pointed with pride to Meals on Wheels. Meals on Wheels is a good programme, partly voluntary, partly funded; but in the summertime my elderly people are just as accustomed to eating as they are in the wintertime. Three-days-a-week delivery of Meals on Wheels is totally inadequate, and to see an old lady, as I have seen, carefully taking her food and meticulously dividing it in two so it will stretch for two days—it's horrible, horrible. I suppose it's expensive, but if you put these people into a home for the aged or a nursing home isn't it going to be more expensive?

As for homemakers' services, there should be one homemakers' service—it should be after-care, and it should go on because, again, to have a homemaker in a home is not as expensive as putting people into these places.

Thus far I've talked really about financial expense, because—and I say this very sadly—I believe that the government gets very anxious to save money when it comes to the poor and the elderly. They are anxious to see that we don't give extended care for any length of time, because it costs. The social consequences of this are so severe, and I know the minister knows this. I'm worried about the fact that we seem to have accepted the principle of care as a kind of make-work programme for youth rather than as a programme to which we are committed, philosophically and on a long-term basis. I want to make it clear that at no time have I ever said that we did not need homes for the aged or nursing homes—of course we do—but when your own report states that 30 to 40 per cent of those in nursing homes don't need to be there, and when you know

that at least in Toronto, and I don't know about other parts, the practice has built up that people get their doctors to admit them into active treatment hospitals in order to get into a nursing home, the waste in that kind of operation is dreadful. Yet it is becoming very difficult to get a direct admission.

[5:15]

Perhaps one of the things that you might be looking at in the provision of care of these kinds is the nursing homes themselves, because perhaps their staff might be able to give some assistance and direction to needs in their own immediate community. I believe that the nursing homes, sadly, will continue to be filled. Another thing this kind of operation would do would be to at least look at a measured standard of care for our senior citizens in nursing homes, or others in nursing homes.

As you know, in the west they have graded services and payment in accordance with the various categories. Here we are expecting, in a lot of cases, the nursing homes to take on pretty sophisticated nursing care on a per diem that just isn't possible. I wonder what we think is going to happen to those people, or are we satisfied that if they are in this kind of care we have taken care of them and we no longer need to look at the food or the care or anything else?

I think if the nursing homes were dealing with people with a certain standard of care requirement then we would be able to see that they could manage the treatment and the care. As it is now, they are handling people some of whom don't need nursing care, some of whom need some nursing care, some of whom need sophisticated care, and they are all in the same place. I would think that could make for a better kind of distinction and operation in the nursing home.

Most of them, in my experience, in my riding at least, are pretty aware of the general scene around them, and I think could be very useful and very helpful in co-ordinating with the ministry, or with Metropolitan Toronto, or whatever, in the setting up of these services. They should perhaps be consulted. I too have questions, pages of them, but I will leave them for now and raise them as we go through the votes. Thank you, Mr. Chairman.

Hon. Mrs. Birch: I hardly know just where to begin. I thank those members who have had opening remarks to make. I do agree with many of your concerns. I think all parties share many of the expressed concerns

that you have put forward. I too believe that over the past number of years we have allowed too much in the way of institutionalization of all kinds of people with all kinds of problems. Unfortunately, they were built up in isolation from one another and it isn't easy to turn that situation around and try to direct the care of people who do need specialized care back into communities and back into families, where I very strongly believe the responsibility should be placed—primarily with the family and then with the community. But in saying that, I also agree there have to be community resources to reinforce the families who do have problems with children or with older people.

I think perhaps I'll deal first with the comments regarding residential services for seniors. We recognize there are a lot of inequities in the provision of services for seniors, whether it be homes for the aged, nursing homes, extended care or some of the voluntary programmes that exist in communities. We are very concerned at the growing numbers of facilities that have sprung up to meet the supposed needs of senior citizens. We too would like to turn that around and are, in fact, developing services so that families and older people will have the alternative of staying in their own homes with services being provided for the community.

I would just like to comment to Mrs. Campbell, who spoke about one of our youth programmes that has just recently been announced, that I think she's under the misapprehension that it is a summer programme. It is not. It was never intended to be a summer programme.

Mrs. Campbell: Perhaps you would tell Mr. Norton.

Hon. Mrs. Birch: That is intended to be a year-around programme. It is intended to elicit from young people and others the desirability of people to become involved in providing home nursing and homemaking services. As you know, it isn't easy to find people who want to become involved in that kind of a service. We thought it would be an excellent opportunity to have a programme with a pilot project to find out across this province how many people there are who would like to become involved in this kind of service. And so this is one of the first programmes. I notice you're smiling quizzically, but it was always the intent that this would be an ongoing programme.

Mrs. Campbell: I am delighted; but that wasn't the way it came out.

Hon. Mrs. Birch: That is what it is to be. Primarily, it was to find out if there is that desire out there on the part of many people to become involved in providing this kind of home service. We're looking forward to a good response to that programme. Again, as you know, it is being administered through local governments and local social services within local governments. We are waiting in anticipation to see just what the reaction will be to that programme. We hope it will be good. Nothing would please us more than to be able to establish services to keep elderly people in their own homes, recognizing, as you have, that there will always be a need for homes for the aged and for nursing homes. That is the area of that particular programme.

Ms. Sandeman: May I ask the minister a question on that specific point? Were you going to move on to your next point? Can I ask you a question?

Hon. Mrs. Birch: No, I was going to talk more about residential services for seniors.

Mr. Acting Chairman: Maybe we should let the minister finish that area of comment. Then if it's still not very clear to you, I'm sure the minister would respond to your question. I think she's still in the process of developing the point she started.

Hon. Mrs. Birch: The whole area of residential services for seniors is again a very complex one. There are a lot of inequities in the system that have to be addressed. We have had a great deal of work done in this area. At the moment, we're considering the possibility of a green paper. I would like your reaction to that approach. It's an area about which people can become very concerned. There are those who are of the opinion we should continue to provide more and more in the way of homes for the aged, more nursing home beds and more of this type of facility, whereas we would like, as I say, to go in the direction of provision of more home services. The possibility of a green paper on residential services for seniors is under consideration at the moment. Did you have a question in relation to that?

Ms. Sandeman: Yes, I did. I'd like more clarification on this youth programme for working with the seniors. Am I to understand you to say that the jobs immediately to be provided will be jobs in some kind of survey to find out if the young people would like to work with the seniors, or did I misunderstand you?

Hon. Mrs. Birch: No, I'm sorry, you misunderstood. We want to see how many young people would be interested in that kind of ongoing employment, in the provision of services for senior citizens.

Ms. Sandeman: So you are going to have a survey to see how many young people are interested?

Hon. Mrs. Birch: That will be the result of how many young people apply for those position that will be available.

Ms. Sandeman: I see. Has it occurred to you, if you're talking about home services—some of them nursing services—that we have a large pool of unemployed nurses who would like to do this work, are already qualified to do the work and are hoping to have employment opportunities open up for their skills, which we've spent a lot of taxpayers' money training them to have and in which they have invested a lot of time? They would expect surely to be the first to have those jobs. I understand as well as any the need for young people to be employed, but are we to leave unemployed those already skilled unemployed women?

Hon. Mrs. Birch: There are many young nurses who are unemployed, and I would hope that many of them would apply for these kinds of positions. It's not just home nursing. It's home maintenance, it's light housekeeping, it's all kinds of services that could be developed within a local community that could certainly be handled by young people. As I say, I am not just thinking of young teenagers. Perhaps many of those in their early twenties would like to become involved in this kind of service. Certainly that leaves it open to many nurses who have not been able to find employment.

Ms. Sandeman: As the jobs open up this summer, are they to be administered by local authorities?

Hon. Mrs. Birch: Yes, they are.

Ms. Sandeman: Has it been discussed with the local authorities?

Hon. Mrs. Birch: Yes, it has.

Ms. Sandeman: The director of social and family services in my area and the chairman of the social services committee on city council feel that many programmes are being announced which municipalities are to be responsible for, but the discussion is after the fact and not before the fact. Their human resources are strained—they under-

stand and they hope there will be financial resources—but their human resources are strained to the breaking point already and they get a little discouraged when time after time announcements are made and they find they have to be the fall guys.

Hon. Mrs. Birch: I don't understand why they would be the fall guys. These are programmes that are available to reinforce some of the programmes that are ongoing in the community. It's up to the local government, if they are interested in providing additional resources within their community. We're picking up the salaries of those people who are involved. It remains for the local government to make the decision on whether or not they want to participate in this programme. It isn't something that's being forced on them.

Ms. Sandeman: Have the programmes been discussed with them before these announcements were made?

Hon. Mrs. Birch: No, I wouldn't think so.

Mr. Acting Chairman: Given the time, I think it would be wiser if the minister had the opportunity to complete her response to the two opening statements.

Ms. Sandeman: Yes, I'm sorry.

Mr. Acting Chairman: You'll have an opportunity to pick that one up. It's getting to be rather lengthy. Just before the minister does, Mrs. Campbell had one question to tie off, and then that's it.

Mrs. Campbell: I was just following this along. As I understand it, am I correct in assuming that you're paying a salary at the rate of \$20 a day?

Hon. Mrs. Birch: That's right.

Mrs. Campbell: I wondered if the nurses fitted into this in view of the fact that the Victorian Order of Nurses in Toronto, as I understand it, is charging at the rate of \$13 per half-hour. Isn't there some kind of discrepancy in the services that nursing would give at \$20 a day?

[5:30]

Hon. Mrs. Birch: As I pointed out, it is an employment programme. It is intended to provide services and to find out for our own edification if there is an interest by people in providing a homemaking, home-helping service. Certainly we are not suggesting that if a nurse comes along she is

going to be paid above the regular salaries that we are prepared to pay for this service until we have had an opportunity to evaluate it. I don't know. That would be something the local government itself would have to make some decision about.

Mrs. Campbell: You mean they might subsidize it more?

Hon. Mrs. Birch: They might want to subsidize it, but that again is not part of our priority.

Mr. Haggerty: What are the hours involved per day, or by the week?

Mr. Acting Chairman: This will be the last question.

Hon. Mrs. Birch: I would assume that again is something that's worked out with local governments. That would not be our programme to work out. It's something that we have arranged and are promoting to help young people as well as help—

Mr. Haggerty: Surely, Madam Minister, if you set the salary at \$20 per day you must also set the hours of work per week?

Hon. Mrs. Birch: Again, I think it would have to meet the needs of local communities. We are always being criticized that we are imposing programmes and—

Mr. Haggerty: It won't be below the minimum wage though.

Mr. Acting Chairman: Excuse me, Madam Minister; I think we are getting away off the topic of the response. Would you please continue there and these questions can all be brought back.

Hon. Mrs. Birch: All right, fine.

Mr. Acting Chairman: It's an important topic but there will be an opportunity to come back.

Hon. Mrs. Birch: I just would like to remind everyone too that the forecast for The Homemakers and Nurses Services Act expenditures of the Ministry of Community and Social Services for the year 1976-77 is \$5 million, and for the year 1977-78 we have budgeted for \$7,763,000, an increase of \$2,763,000. So I don't think we could be accused of not caring and not trying to turn the direction from institutional care. We are, in fact, attempting, through the homemakers and the nurses services, to increase this provision to the many people who would like to avail themselves of it.

Another point that Mrs. Campbell raised was the fact that there is a stated period of time when someone is available to avail themselves of the homemaking services. In fact, we do have a pilot project where we are providing homemaking services for chronic care patients and we hope, from monitoring that programme, to determine just what a policy would be in that general area. It is very difficult to just put a policy on across the province without really studying it very carefully and very cautiously, and making sure that we are aware of all of the ramifications from such a policy, so that it is all being done in that area.

Mrs. Campbell: Could I ask where the pilot project is?

Hon. Mrs. Birch: I think that's in Kingston.

Mrs. Campbell: Toronto has such needs and it is always someplace else that has the project.

Hon. Mrs. Birch: Let me get back to the question of the residential services for children. I appreciate that all people within the Legislature have the same concerns that we have, but I just hope that you will appreciate the difficulties in bringing about major reform, such as we have done with the consolidation of children's services under the one ministry.

It hasn't been an easy task. There are nine pieces of legislation, five ministries, something like 3,000 civil servants, and 110,000 children involved. It is not an easy task, just overnight, to consolidate those services and expect, under some magic wand, to have everything just fall into place. It is going to take time and it is going to take a great deal of understanding, a great deal of co-operation and a great deal of effort on the part of everyone involved.

We have never suggested that it is going to be an easy task. In fact, we have suggested and we have stated very clearly, over and over again, that it's something where we really have to have the support of everyone and the understanding of everyone of what we are attempting to do, and hopefully without the criticism which is so easy to give.

When you are trying to do the very best that you can and you are trying to go in the direction that you think the provision of services to children in this province should go, it isn't always easy to listen to the criticism, unless it's constructive. We are certainly open to any kind of criticism that will pass our way, as long as it's constructive.

Again I reiterate, I know of your concerns, I know the concerns of the opposition parties, and I would just say to you that all of the problems certainly have not been resolved and it's going to take some time.

You asked about the details of some of the programmes, and I would just say to you that the rationalization of all of the ministries and the Act at the provincial level is a tremendous undertaking in itself. There's no way that we can go out into the communities across this province and start suggesting what they should be doing until we get our own house in order, and that's what we're attempting to do at the moment—rationalize all those Acts, get them in one omnibus Act, which is going to take time.

Being a lawyer, Mrs. Campbell, you are well aware of those facts. You are well aware of the magnitude of bringing that all under one omnibus bill. It's going to take a lot of time and a lot of effort to make sure that it's done properly.

I'm very pleased that we have been able to establish a separate division within the Ministry of Community and Social Services. I'm very pleased that it has a person like Judge George Thomson. I've watched him in his court and I've seen the kind of things he does. I like his philosophy. He was a personal choice. I just feel it's in the hands of the right people.

Mrs. Campbell: He is excellent.

Hon. Mrs. Birch: It is just going to take time. I'm also very pleased with the direct reporting relationship, where Judge Thomson reports directly to the minister. It's a separate division of that ministry and will be responsible directly to the ministry. We're getting some very excellent people; Dr. Clive Chamberlain has just joined the staff, and those of you who are aware of children and children's rights will appreciate a person of his stature.

Mrs. Campbell: He belongs to the courts though.

Hon. Mrs. Birch: I think that we need him in this area until we can get the programme going in the right way. We're gathering a nucleus of people who share our concerns, people who have had experience in the provision of services for children, such as Dr. Naomi Rae-Grant. I don't think anyone could ever question her dedication.

We have a nucleus of people who are committed to turning it around and making sure that the provision of services to children in this province is really in a much better state than it has been in the past. As I say, it is

going to take time, but I strongly believe that the rationalization at our level has to be done before we can ever go out to the communities and impose on them what we think should happen there.

I guess you were not at the PMLC meeting; Mr. McClellan was. We certainly have had a good response from local governments. They are most anxious to co-operate, they are most anxious to become involved, and I think Mr. McClellan will admit that publicly they stated they were very pleased with the direction in which we were going. They were most anxious to co-operate and become involved. We will be meeting with them. Again, we have not imposed on them what we think. We know what we think it needs, but we would like to consult with them. There are different kinds of governments out there. They have different ways of handling social services.

Mrs. Campbell: They have different needs too.

Hon. Mrs. Birch: They have different needs, and for us to impose upon everyone across this province the same kind of policy, I just don't think would be appropriate.

Mr. McClellan spoke about the concern of meeting with the vested interests and sort of falling into the trap of accepting what they suggested. I would just say to Mr. McClellan that I've been involved for a number of years, almost 20 now, with many of those vested interest groups and I don't think I'm easily manipulated. I think we will be very cautious about some of these comments and some of these suggestions they may be putting forward.

As a matter of fact, I've met with many of the groups prior to this announcement, and again I must add that we're aware of their vested interests, but there are many people across this province who are providing services for children who are very caring, who are very dedicated and committed people. I think they should be consulted; I think they should have an opportunity to offer suggestions on what they believe the right approach to be. So I see it as a tremendous consultative process we have to go through. I think we have to get our own house in order and then get out there with the people who are at the community level delivering the services, the ones who are responsible for seeing that children do receive the kind of care that they require, consulting with them as to the best manner in which it can be done.

Of course there will be resources made available to them. We recognize for a fact that there are many areas of this province where they're lacking in resources. We feel very strongly that children should be looked after in their own community as far as possible, and only under very unusual circumstances should they be sent far away from their families.

As a matter of fact, my own personal philosophy is that there has been too much intervention into the families across this province. I think we can turn that around and again provide the support services for families instead of taking children away and having someone decide they're going to be better off in some institution or some group home or in some other facility. I'm really delighted, because more and more I'm getting information and reports coming back from people outside government, that they, too, agree with me, that radical non-intervention should be the approach we're taking, supporting the families wherever possible.

So I think that we agree in most instances. I get the feeling that you do agree we're on the right track. Perhaps we're not moving as quickly as you think we might, but I hope I can have your understanding that it is not easy.

Mrs. Campbell: I don't think anybody thought it was. But one of the things that is bothering me, Mr. Chairman, is the fact that as I understand it, we are waiting for the preliminary bill to be introduced into the House to bring all of these services within one ministry, and that has not been done. That is not a complex bill. It would be the omnibus bill which has to follow that that is a complex matter; although you must realize that we were advised a year ago that they were working on some such bill.

Now I have referred to this—

Hon. Mrs. Birch: That was just for the two Acts.

Mrs. Campbell: But at least they must have done something about that, surely, that's a start.

Hon. Mrs. Birch: I would think so; and I think the minister did indicate he hoped to get it in this session.

Mrs. Campbell: Well this is my problem. It seems to me if you really want to proceed, if you're serious, that at least the preliminary bill should be in before this House adjourns.

Hon. Mrs. Birch: I don't think there's any question about our seriousness. I think we have made a commitment that this is going to be, this is what is going to happen. It's just a question of getting that bill into the House. As the minister has indicated, by July 1 we hope to have gone far down the road into—

Mrs. Campbell: You can't go down the road until you have that bill, that's what's bothering me at the moment.

Hon. Mrs. Birch: We're most anxious to see that it is introduced as well. I don't know if I could go on and answer all of your specific inquiries. I think I get an understanding of some of the areas where you have concerns. I've taken notes. They certainly will be considered, because I think this is an area where the more people who get involved with suggestions and comments about the direction we should be going, how we should be handling it—we welcome that.

Rather than try to answer all of your concerns, I think I would just say to you that I have taken note of many of the comments you've made.

[5.45]

I am very concerned, for example, about the three case histories you spoke about. I am personally aware of them. Like you, I have read all the documentation too and I feel heartsick that in this day and age in the province of Ontario any child is subjected to that kind of treatment in the name of protection. I'm very concerned about that.

One of my comments to the Attorney General (Mr. McMurtry) when I came back after travelling around the province was that I was concerned about children's rights in the courts. As a result of that concern, he himself established a committee of outside people who are studying children's rights. Like you, I have been talking for a long time about adult rights for children. When one considers that a child who has committed no criminal offence can end up spending more time in our correctional system than someone who has robbed a bank or committed a murder, I think that has to be a dreadful state of affairs as far as the provision of services for children is concerned. I know we all share these concerns and that we all want to see this succeed. It will only succeed if everyone pulls together. Criticize yes, but make it constructive and make it always in the interests of the children of this province.

Mrs. Campbell: They are worse off than being parcelled out with the furniture in divorce actions.

Hon. Mrs. Birch: That's another concern of mine.

Mr. Acting Chairman: I was just going to suggest, given the time element, is it the wish of the committee to proceed with the votes; or do you have any last-minute questions to tie in with your original remarks, Mr. McClellan?

Mr. McClellan: I have a whole series of questions I want to pursue with respect to the April 4 policy. I really would like to come out of these estimates with a clearer sense of what it is that's being proposed. I still don't know and I'm not going to accept, without an awful lot of badgering and hectoring, the minister's reluctance to share the details.

Hon. Mrs. Birch: Not if the construction is right.

Mr. McClellan: It will be very constructive. What can be more constructive than your laying out clearly before the Legislature and the people of Ontario what it is you're proposing to do. Surely that's a natural course of events.

Hon. Mrs. Birch: I thought, Mr. McClellan, that I had indicated we preferred to take the consultative approach.

Mr. McClellan: Yes, right.

Hon. Mrs. Birch: We don't feel we're experts. We don't feel we have all the answers at Queen's Park. We feel there are a lot of people across this province, people who have been involved in the provision of services for many years, who know the children's needs much better than we do. And there are local governments to be involved; there will be cost-sharing arrangements. That all has to be discussed with local governments. So we are just not prepared to say this is the way it shall be.

Mr. McClellan: Granted, you may not want to lay out a complete master plan or a blueprint. Nevertheless, I have a whole series of questions I'd like to put.

Mr. Acting Chairman: If we are going to go to direct questions then, I would repeat my original suggestion to you. Do you wish

to begin now or do you wish to adjourn this meeting until tomorrow? We should go directly to the votes then.

Mr. Villeneuve: I vote to adjourn.

Mr. Acting Chairman: Is that okay with

you? Is there any member of the committee who disagrees with that?

Mr. McClellan: That's fine with me.

Some hon. members: No.

The committee adjourned at 5:49 p.m.

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